

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 4:15-cr-050

MICHAEL ALLEN TARVER

MOTION FOR ISSUANCE OF SUBPOENA DUCES TECUM

Comes now the Defendant, Michael Allen Tarver, by and through counsel and files this his Motion for the Issuance of Subpoena Duces Tecum to Lee Saxon, Todd Holder and all other Members of the Board of Boyle-Skene Water Corporation. In support thereof, Defendant would show the following:

1. Defendant requests all documents generated within the last 7 years to present so counsel can prepare her case. Documents to include the following:
 - a. Any and all minutes of the Boyle-Skene Water Corporation and all documents thereto.
 - b. All water testing policies and changes to same and all documents pertinent thereto.
 - c. Any and all reports of breakage to any water lines and all documents pertinent thereto.
 - d. Any and all notices to the public regarding boil water notices and all documents pertinent thereto.
 - e. Any and all changes in policy, other than water testing policies and all

documents pertinent thereto, including but not limited to changes in shut off period for non payment of bill.

f. Any and all information regarding the EPA and all documents pertinent thereto.

g. Any and all policies related to billing and collection and all documents pertinent thereto.

2. The information sought is exculpatory and crucial to the defense of the case under the Fourth, Fifth, Sixth and Fourteenth Amendments.

3. Favorable information includes both “exculpatory” and “impeaching” information. Brady v. Maryland, 373 U.S. 83, 87 (1963); Strickler v. Green, 527 U.S. 263, 281-282 (1999).

WHEREFORE PREMISES CONSIDERED, the Defendant respectfully requests that this Motion for Issuance of Subpoena Duces Tecum to Lee Saxon, Todd Holder and all other Members of the Board of Boyle-Skene Water Corporation be received and considered by this Honorable Court and an Order issued granting the Issuance of a Subpoena Duces Tecum for all requested records from Lee Saxon, Todd Holder and all other Members of the Board of Boyle-Skene Water Corporation.

This the 13th day of July, 2015.

Respectfully submitted,
MICHAEL TARVER
DEFENDANT

BY: /s/ Cynthia A. Stewart
Cynthia A. Stewart

CYNTHIA A. STEWART (MBN 7894)
ATTORNEY, P.A.
118 Homestead Drive, Suite C
Madison, Mississippi 39110
Telephone (601) 856-0515
Facsimile (601) 856-0514

CERTIFICATE

I, Cynthia A. Stewart, do hereby certify that I have this day caused to be filed a true and correct copy of the foregoing document using the Court's CM/ECF system, which sent a true and correct copy of the same to all counsel of record.

SO CERTIFIED, this the 9th day of July, 2015.

/s/ Cynthia A. Stewart
Cynthia A. Stewart